

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

JIMMY DALE HEWITT, JR., #09428-043

PETITIONER

VERSUS

**CIVIL ACTION NO. 5:10-cv-192-DCB-JMR
APPEAL NO. 11-60528**

UNITED STATES OF AMERICA, et al.

RESPONDENTS

ORDER

Before this Court is the Petitioner's letter Motion [21] requesting that this Court reconsider his request to proceed *in forma pauperis* (IFP) on appeal or in the alternative grant an extension of time to pay the appeal filing fee. The Court entered an Order [17] on August 16, 2011, denying Petitioner's application for leave to proceed *in forma pauperis* on appeal by certifying that the appeal was not taken in good faith pursuant to 28 U.S.C. § 1915 (a)(3) and Fed. R. App. P. 24(a)(3)(A). Petitioner has not presented anything to alter the Court's decision that his appeal fails to present a good faith non-frivolous issue as required by 28 U.S.C. § 1915 (a)(3) to proceed *in forma pauperis*. Thus, to the extent Petitioner's Motion [21] is requesting reconsideration of the Court's Order [17], it is DENIED. To the extent Petitioner's Motion [21] is requesting an extension of time to pay the appeal filing fee, that request is properly directed to the Fifth Circuit and not this Court.

SO ORDERED, this the 17th day of November, 2011.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE